



U.S. Department of Justice

*United States Attorney
Western District of Tennessee*

800 Federal Building
167 North Main Street
Memphis, Tennessee 38103

Telephone 901.544.4231
Fax 901.544.4230
TTY 901.544.3054

September 1, 2009

Mr. Frank Trapp
PHELPS DUNBAR LLP
111 East Capitol St., Ste. 600
Jackson, MS 39201-2122

Re: United States vs. Bridges McRae
08-CR-20378

Dear Frank,

You will be an old hand at the courtroom computer system once trial time rolls around, I am sure. While the court IT staff will ably provide for you, please keep in mind that we will make our IT staff available to help as well should the need arise. With the documents and CD provided at the last report date, you now have all the medical records, injury photos, and criminal background information we possess on Duanna Johnson. Should we obtain more such information, we will promptly provide it. To confirm, the United States will not allow your client to plead to a misdemeanor.

We do not currently possess any materials used during your client's police training except for the Memphis Police Department use of force and weapons policies, which I believe were provided in an earlier round of discovery. If you do not have copies of those policies, please let us know and we will send them to you. We do expect to introduce those policies at trial. Should we obtain any other materials used in the course of his training, we will provide them with all due haste.

At this time, we do expect to have Mr. Swain, Sergeant Taylor, and Agent Lee testify at trial and plan to serve all of them. We cannot guarantee that this will be the case, however, and if any of them are essential to your defense, it is probably best that you serve them as well to ensure their presence. Note that if you do wish to subpoena Agent Lee, you may need to subpoena her through the *Tuohy* process described in 28 C.F.R. § 16.23(c). We do not anticipate any obstacles to affirmatively responding to such a request.

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Please do not hesitate to let us know if you have any additional requests.

Sincerely,

LAWRENCE J. LAURENZI
United States Attorney

By: s/Stephen C. Parker
STEPHEN C. PARKER
Assistant United State Attorney

SCP/dm